

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE:

DEBRA HIRATZKA
6857 INDIAN HILL PLACE
CINCINNATI, OH 45227

CASE NO. 25-10803
(CHAPTER 13)
JUDGE BETH A. BUCHANAN

Debtor

CHAPTER 13 TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO FILE SCHEDULES OR PLAN AND NOTICE
OF HEARING

Now comes Margaret A. Burks, Standing Chapter 13 Trustee, and requests that the Court dismiss this case.

MEMORANDUM

A petition was filed in this case on April 08, 2025. Debtor has failed to file the schedules, plan, a creditor matrix, or summary of schedules or all the above in violation of the Federal Rules of Bankruptcy Procedure.

This motion is made pursuant to Federal Rules of Bankruptcy Procedure 1007(c) and 3015(b).

The Trustee requests that this case be dismissed.

Respectfully submitted,

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.
Chapter 13 Trustee
Attorney No. OH 0030377

Francis J. DiCesare, Esq.
Staff Attorney
Attorney No. OH 0038798

Tammy E. Stickley, Esq.
Staff Attorney
Attorney Reg No. OH 0090122

600 Vine Street, Suite 2200
Cincinnati, OH 45202
(513) 621-4488
(513) 621 2643 (Facsimile)
fdicesare@cinn13.org
tstickley@cinn13.org
mburks@cinn13.org - Correspondence only

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was served **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and

by **first class mail** on April 23, 2025 addressed to:

Debtor's Attorney:
STATMAN, HARRIS & EYRICH, LLC
35 E. 7th Street
Suite 315
CINCINNATI, OH 45202

Debtor(s):
DEBRA HIRATZKA
6857 INDIAN HILL PLACE
CINCINNATI, OH 45227

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.

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NOTICE OF MOTION TO DISMISS AND HEARING

The Chapter 13 Trustee, Margaret A. Burks, has filed papers with the Court to dismiss your case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in this motion, then on or before twenty-one (21) days from the date set forth in the certificate of service for the motion, you or your attorney must:

File with the Court a response explaining your position by mailing your response by regular U.S. Mail to the address below OR your attorney must file a response using the court's ECF system. The Court must receive your response on or before the above date.

U.S. BANKRUPTCY COURT
ATRIUM II, SUITE 800
221 EAST 4TH STREET
CINCINNATI, OH 45202

You must also mail a copy to:

MARGARET A BURKS, TRUSTEE
CHAPTER 13 TRUSTEE
600 VINE, SUITE 2200
CINCINNATI, OH 45202

OFFICE OF THE U.S. TRUSTEE
J.W. PECK FEDERAL BUILDING
550 MAIN ST., ROOM 4-812
CINCINNATI, OH 45202

Debtor's Attorney:
STATMAN, HARRIS & EYRICH, LLC
35 E. 7th Street
Suite 315
CINCINNATI, OH 45202

Debtor(s):
DEBRA HIRATZKA
6857 INDIAN HILL PLACE
CINCINNATI, OH 45227

The Court will send you a separate notice if it sets a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

PLEASE BE ADVISED that all parties should check the Judge's website for any updated COVID-19 policies and procedures regarding the hearing location. The Judge's website can be found on the Bankruptcy Court's website at: www.ohsb.uscourts.gov under the Judges' Information / Judge's Name / Policies and Procedures.

If a response is filed within the time provided above, then a hearing will be held on June 05, 2025 at 2:00 pm at U.S. Bankruptcy Court , Room 814, Courtroom 1, Atrium II, 221 East Fourth Street, Cincinnati, OH 45202. If no response is filed within the time provided, then no hearing will be held and the Court may enter an order dismissing this case.

Date: April 23, 2025

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.